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MAR 26 2002

**FACSIMILE COVER SHEET**

DATE:	March 26, 2002	OUR REF.:	MAT-8187
TIME:	3:05 P.M.	YOUR REF.:	

FROM:	LARRY E. ASHERY
TO:	CUSTOMER SERVICE
COMPANY:	U. S. PATENT AND TRADEMARK OFFICE
FAX TELEPHONE:	(703) 746-4060 (OIPE)
OFFICE TELEPHONE:	(703) 308-1202
TITLE OF DOCUMENT:	Response to Request for Substitute Papers
SERIAL NO.	09/963,311

Total Number of Pages: 18 (including this form)

**COMMENTS****CONFIDENTIAL AND PRIVILEGED ATTORNEY/CLIENT INFORMATION**

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**Please notify us immediately if you have not received the number of pages indicated above.**

Malawi



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

MAR 26 2002

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/963,311	09/26/2001	RECEIVED Nadeau, Nadeau	MAT-8187US

**RATNER AND PRESTIA**  
One Westlakes, Berwyn, Suite 301  
P.O. Box 980  
Valley Forge PA 19482-0980

MAR 21 2002

BATNER & PRESTIA

Missing Parts due  
4/1/02

**Title:** Internet telephone system and internet telephone apparatus

Date Mailed: 03/18/2002

## Request for Substitute Papers

The papers filed on 01/22/02 (certificate of mailing dated 01/02/02) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated **703-746-4060(OIPE)**.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. **A copy of this notice should be included with the reply.**

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Lawrence E. Ashery Registration No.: 34,515

Signature: Marcin J. K... Date: March 26, 2002

03-26-02

15:05

FROM-RATNER & PRESTIA

6104070701

COPYERS  
ORIGINAL FILED P.004/018 F-145

MAT-8187US

01/22/02 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Noriaki Nada : Attention:  
Serial No.: 09/963,311 : Box Missing Parts  
Filed: September 26, 2001 : Art Unit: 2151  
FOR: INTERNET TELEPHONE SYSTEM : Examiner:  
AND INTERNET TELEPHONE  
APPARATUS

MAR 26 2002

RESPONSE TO NOTICE TO FILE MISSING PARTS OF

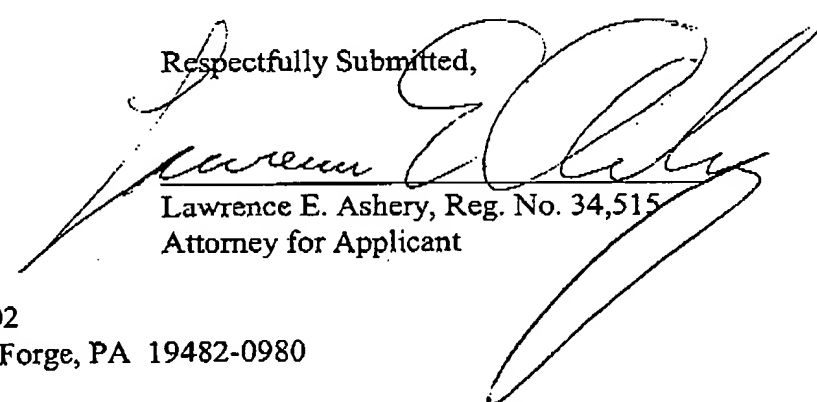
NONPROVISIONAL APPLICATION

Assistant Commissioner for Patents  
Washington, DC 20231

SIR:

Responsive to the Formalities Letter dated November 2, 2001, enclosed is the Declaration/Power of Attorney in compliance with 37 CFR 1.63. Also enclosed is a copy of the Formalities Letter and a check in the amount of \$130.00 to cover the required surcharge fee.

Respectfully Submitted,

  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicant

LEA/ebf

Dated: January 2, 2002

P.O. Box 980, Valley Forge, PA 19482-0980

(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

January 2, 2002

  
Lawrence E. Ashery

MAT-818705

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Noriaki Nada  
Serial No.: 09/963,311  
Filed: September 26, 2001  
FOR: INTERNET TELEPHONE  
SYSTEM AND INTERNET  
TELEPHONE APPARATUS

: Attention:  
: **Box Duplicate OIPE**  
: Art Unit: 2151  
: Examiner: To Be Assigned

MAR 26 2002

RESPONSE TO REQUEST FOR SUBSTITUTE PAPERS

Assistant Commissioner for Patents  
Washington, DC 20231

S I R :

Responsive to the Request for Substitute Papers dated March 18, 2002, enclosed are complete and accurate copies of the papers filed on January 22, 2002 (certificate of mailing dated January 2, 2002), except for the priority document. A copy will be provided at a later date.

Also enclosed is a copy of the Request for Substitute Papers.

Respectfully Submitted,  
RATNER & PRESTIA

Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

Dated: March 26, 2002

Enclosures: Request for Substitute Papers  
Substitute Papers (Notice To File Missing Parts, Response To Notice To File Missing Parts, Declaration and Power of Attorney, Claim To Right of Priority, JP 2000-292061, Form PTO-1083, Preliminary Amendment, Assignment and Form PTO-1595)

Suite 301  
One Westlakes, Berwyn  
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The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18- 350 of any fees associated with this communication.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. (703) 746-4060) on the date shown below.

3/26/02

FORM PTO-1083

File Number: MAT-8187US

In re application of: Noriaki Nada  
 Serial No.: 09/963.311  
 Filed: September 26, 2001  
 For: INTERNET TELEPHONE SYSTEM AND INTERNET TELEPHONE APPARATUS

ASSISTANT COMMISSIONER FOR PATENTS  
 Washington, D.C. 20231

Sir:  
 Transmitted herewith is an amendment in the above-identified application

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY		
	Claims Remaining After Amendment		Highest Number Previously Paid for	Present Extra	Rate	Addt. Fee	OR	Rate	Addt. Fee
Total	* 16	Minus	**20	*0	x \$ 9	\$	OR	x \$ 18	\$
Indep	* 4	Minus	***3	*1	x \$ 42	\$	OR	x \$ 84	\$84
<input type="checkbox"/> First Presentation of Multiple Dependent Claim					+\$140	\$	OR	+\$280	\$
					TOTAL ADDT. FEE	\$	OR	TOTAL	\$84.00

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ Please charge my Deposit Account No. 18-0350 the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$84.00 is enclosed.
- ☒ The Assistant Commissioner for Patents is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-0350. A duplicate copy of this sheet is enclosed.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

RATNER AND PRESTIA  
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Respectfully submitted,

Lawrence E. Ashery, Reg. No. 34,515

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 01/02/02

Lawrence E. Ashery

COPY OF PAPERS  
ORIGINALLY FILED  
07/27/02

MAR 26 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/963,311	09/26/2001	Noriaki Nada	MAT-8187US

CONFIRMATION NO. 1311

## FORMALITIES LETTER



\*OC00000007015856\*

RATNER AND PRESTIA  
One Westlakes, Berwyn, Suite 301  
P.O. Box 980  
Valley Forge, PA 19482-0980

Date Mailed: 11/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE